



PASUGUAN NG PILIPINAS

EMBASSY OF THE PHILIPPINES

Washington, D.C.

TOGETHER IN THIS BATTLE

Testimony of Carlos D. Sorreta

Charge d'Affaires, Embassy of the Philippines

Hearing on Equity for Filipino Veterans of World War II

Committee on Veterans' Affairs, US House of Representatives

February 15, 2007

Mr. Chairman and Members of the House Veterans Committee.

Thank you for inviting us to appear before this Committee and for the opportunity to speak on an issue of great importance to my government and to the Filipino people.

When the war in the Pacific ended, Filipino soldiers set their weapons aside, buried their fallen comrades and started to collect the shattered remains of their lives.

For them, with peace, had come hope.

Little did they know that while the carnage and destruction of war had ended, they would be facing a new battle – one that would last for decades.

This would be a fight that would once more call upon the courage, perseverance and sacrifice that they had unselfishly shown in the foxholes of Bataan and Corregidor, in the jungles of Luzon, Visayas and Mindanao, and in the prisons of Capas, Fort Santiago and Muntinlupa.

This would be a battle that would once again force them to witness their comrades fall one by one, not by the bullets or bayonets of an enemy, but by the ravages of time and the pain of inequity.

Today, few of these living symbols of the very freedoms and liberties that we now enjoy, remain. By the end of this month, a few more would have fallen.

But they have not been alone in this battle.

For there have been those in Congress who have stood boldly by our brave soldiers. -- those whose profound sense of history, and whose deep appreciation for the common values that both our countries share and have fought for, have made them wage their own battles in Congress for justice and equity.

On behalf of my government and the Filipino people, let me express our thanks to the US Congress for its continued support for the Filipino WWII veteran.

1600 Massachusetts Avenue NW, Washington DC 20036
Tel: (202) 467-9300 / (202) 467-9363, Fax: (202) 467-9417, Email: USWashpe@aol.com



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In this battle, our veterans have also marched on side-by-side with many Filipino-American groups and individuals whose resolve and commitment have given all of us renewed strength and hope.

Many of these groups and individuals are with us today, and we thank them for their invaluable and tireless work and for their unqualified dedication.

Mr. Chairman, the Philippine Government and the Filipino people continue to maintain that the Filipino soldiers who fought and served under the US Army during WWII, specifically during the period between July 1941- October 1945, are US veterans under then existing US laws and are entitled to all benefits due a US veteran.

We therefore welcome the filing and urge the passage of HR 760 and its companion bill in the Senate, S57 into law, to restore veterans' benefits that were removed by PL 79-301.

We make this call based on assertions that are supported by clear facts and historical records. I have attached to this statement a reiteration of our arguments and respectfully request that these be made part of the record.

Mr. Chairman and members of the Committee, the Filipino WWII veterans were treated unfairly by the 79th Congress and the US Government in 1946.

At a critical juncture in both our countries' history, they willingly responded to the urgent call of President Franklin Delano Roosevelt and left their families and homes for an uncertain fate.

They fought valiantly, bravely and with uncommon courage, against great odds and lacking the support that they had been promised.

Out of the 470,000 reported by the VA in 1946 less than 20,000 remain – 13,000 in the Philippines and 7,000 in the United States.

Those who remain have very little time left. Many are sick and infirm.

I ask, on behalf of a nation that has stood by yours in the name of freedom, liberty and democracy in World War II, in the uncertain decades after, and in facing today's new and grave challenges, to let these old soldiers finally leave the field of battle, with their dignity intact and with the honor that they so truly deserve.

Thank you.

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Legal, Moral and Historical Basis for Filipino Veterans Full Equity

We have based our arguments on the following facts verifiable from US Congress archives:

1. *The Philippines Was Then a Colony of the US* - The Philippines was then a colony of the US and the US President, under the Tydings-McDuffie Act of 1934 (also known as the Philippine Independence Act of 1934) was vested with the authority to call the Philippine Commonwealth Army and other forces so organized to serve under the US Army. This power was in fact exercised by President Franklin Roosevelt in July 26, 1941 when US-Japan war became imminent.
2. *The US Assumed Command of All Forces* - Shortly thereafter, General MacArthur having been designated the Commander of the newly organized United States Army Forces in the Far East with Headquarters in Manila issued an order assuming command of all US Army Forces in the Philippines including the Commonwealth Army of the Philippines.
3. *Public Law 79-301 was Grossly Unfair* - On February 18, 1946, barely five months before the scheduled Independence of the Philippines, Public Law 79-301, now famously known as the Rescission Act of 1946 was enacted into law by the US Government. Included in this rider was the appropriation of \$200M to the Philippine Army with the proviso that "service in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the military order of the President of the United States dated July 26, 1941, shall not be deemed to be or to have been service in the military or naval forces of the US or any component thereof for any law of the US conferring rights, privileges or benefits upon any such person by reason of service of such person or any other person in the military or naval forces of the US or any component thereof.
4. *Key US Officials Admitted Eligibility for Equity* - During the hearing for Public Law 79-301 the head of the US Veterans Administration was called to testify. His testimony included the following: there were 472,000 Filipino WWII veterans in 1946, they were eligible to VA benefits (THE SERVICE OF THE FILIPINO COMMONWEALTH ARMY INTO THE US ARMED SERVICES DURING WWII HAVE MET THE STATUTORY DEFINITION OF A US VETERAN), and it would cost the US \$3.2B: to cover Filipino WWII Veterans on equal basis with their American counterparts.



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5. Statement of President Harry S. Truman Clearly Recognized that Filipino Veterans Deserved Equity – Before signing PL 79-301 into law, President Harry S. Truman started:

- a. The effect of this rider is to bar Philippine Army veterans from all benefits under the GI Bill of Rights with the exception of disability and death benefits.
- b. The passage and approval of this legislation does not release the US from its moral obligation to provide for the heroic Philippine veterans who sacrificed so much for the common cause during the war.
- c. Philippine Army veterans are nationals of the US and will continue in that status until July 4, 1946. They fought as American nationals, under the American flag, and under the direction of our military leaders.
- d. It is a moral obligation of the United States to look after the welfare of the Philippine Army veterans.